

REMARKS

Preliminarily, Applicants respectfully request the Examiner to return initialed Form PTO/SB/08 A & B (modified) for the Information Disclosure Statement filed March 21, 2005.

Claims 1-14 stand rejected. Claim 1 has been amended and claim 5 has been canceled as being broader than amended claim 1 from which it depends. Therefore, claims 1-4 and 6-14 remain pending.

Claim 1 has been amended to recite that the sealed wrench reception socket of the second and/or adjustment screw can be unsealed for readjustment and resealed as needed. Support is found, for example, in paragraph [19]. Claim 12 has been amended to correct a typographical error.

Review and reconsideration on the merits are requested.

Claims 1-14 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent 5,667,343 to Hessman et al in view of U.S. Patent 6,634,842 to Ueno.

The Examiner cited Hessman et al as teaching a milling cutter including a cassette (cartridge) for removably supporting a diamond coated cutting insert, and including a tap 8 for adjusting the position of the cartridge. The Examiner relied on Ueno as teaching a hexagonal recessed portion of the screw, which is a wrench-receiving socket sealed by a resin-made embedding material (citing col. 9, lines 1-10). Relative to claim 4, Figs. 7 and 8 were cited as teaching a screw having a wrench reception socket that is narrowed toward an opening. With respect to claim 3 (wrench reception socket roughened on at least an inner wall surface thereof),

the Examiner has taken Official Notice that it is known to use various frictional engagement means to keep the resin inside the wrench reception socket, further citing Figs. 14(a) and (b). As to claim 6, the Examiner considered that it is well known to select from fasteners having a variety of wrench reception sockets. The reason for rejection was that it would have been obvious to seal the wrench reception socket of Hessman et al's fastener by the resin-made embedding material as taught by Ueno so as to make the screw tamper proof.

Applicant traverses, and respectfully requests the Examiner to reconsider in view of the amendment to the claims and the following remarks.

Hessman et al discloses a cutter body having an adjustable insert holder, but does not disclose a sealed adjustment screw or sealed second screw for fixing the cartridge to the cutter body member as required by the present claims.

Ueno concerns a crime preventing screw having a recessed portion, and a resin-made embedding material that can be embedded in the recessed portion so as to prevent the screw from being drawn out. See Abstract, col. 3, lines 2-3 and col. 9, lines 1-10. Particularly, an object of the invention of Ueno is to develop a screw which cannot be easily removed after it is once tightened (col. 2, lines 34-38). However, neither Hessman et al nor Ueno addresses the problem solved by the present invention, namely, preventing accidental movement of an adjustment screw and/or a cartridge fixation screw (paragraph [06]).

More particularly, Ueno provides a crime preventing screw which prevents the screw from being drawn out once it is tightened, entirely different from the object of the present

invention which prevents accidental adjustment, while also allowing for readjustment when necessary by unsealing the wrench reception socket. See paragraph [19].

Thus, it would not have been obvious to seal the wrench reception socket of Hessman et al to prevent drawing-out of the screw as taught by Ueno, because this would defeat the purpose of the adjustment screw in the milling cutter of Hessman et al.

To more clearly distinguish the present invention from Ueno, claim 1 has been amended to recite that the sealed wrench reception socket of the second and/or adjustment screw can be unsealed for readjustment and resealed as needed. In comparison, the embedded screw of Ueno cannot be removed once it is tightened and sealed.

Regarding present claim 3, there is nothing in Ueno or other prior art cited by the Examiner which teaches roughening an inner wall surface of the wrench reception socket so as to provide an anchoring effect for the resin. At best, Ueno shows a metal embedding material 19 having rags 19a which cut into the side wall 36d of the recessed portion 36c so that the embedding material 19 does not come off. See Figs. 17 and 18(a) of Ueno. Fig. 8(a) of Ueno shows a wrench reception socket narrowed toward an opening thereof as claimed in claim 4. However, in this embodiment, once the embedding material is pushed against the recessed portion 34(c) by tapping, the embedding material 15 cannot come out of the recessed portion 34(c). See col. 13, line 66 - col. 14, line 8.

Claim 6 requires that one or both of the wrench reception sockets has a shape that does not fit a wrench for use with the first screw. That is, in reference to Fig. 4 of the present specification, for example, cartridge fixing screw 17, according to claim 6, would have a wrench

reception socket having a shape different from that of adjustment screw 19. Namely, this requires the use of wrench reception sockets of different shapes within the same cutter body. This is not at all disclosed by Ueno, and the Examiner's assertion that it is well known to choose from a vast variety of fasteners having a variety of wrench reception sockets also does not disclose this aspect of the invention.

For the above reasons, and in view of the amendment to claim 1, it is respectfully submitted that the present invention is patentable over Hessman et al in view of Ueno, and withdrawal of the foregoing rejection under 35 U.S.C. § 103(a) is respectfully requested.

Withdrawal of all rejections and allowance of claims 1-4 and 6-14 is earnestly solicited.

In the event that the Examiner believes that it may be helpful to advance the prosecution of this application, the Examiner is invited to contact the undersigned at the local Washington, D.C. telephone number indicated below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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